

GOVERNMENT OF TELANGANA

ABSTRACT

PUBLIC SERVICES - Commercial Taxes Department - Departmental Proceedings initiated against Sri T. Rajesham, Assistant Commissioner, Commercial Taxes under rule 20 of AP Civil Services (CC&A) Rules, 1991 - Charges - Written Statement of Defense - Further action dropped - Orders - Issued.

REVENUE (VIG.II) DEPARTMENT

G.O.RT.No. 380

Dated:12.08.2015.

Read the following:-

- 1) From the Commissioner, Commercial Taxes, Hyderabad, Letter No. VI/196/2013, dt: 16.12.2013.
- 2) G.O.Rt.No. 388, Revenue (Vig. I) Department, Dt: 26.3.2014.
- 3) From Sri T. Rajesham, former Commercial Tax Officer, Khairatabad Circle of Punjagutta Divisin, Hyderabad and Asst. Commissioner of Commercial Taxes, Nalgonda, written statement of defence, dt: 20.1.2015.
- 4) Memo No. 1127/Vig. II(2)/2015-2, dted: 23.3.2015.
- 5) From the Commissioner of Commercial Taxes, Telangana State, Hyderabad, Letter No. TS/V(1)/196/2013, dated: 18.4.2015.

ORDER:

In the reference 2nd read above, a charge was framed against Sri T.Rajesham, Assistant Commissioner, Commercial Tax for showing gross negligence to duties while he was working as Commercial Tax Officer, Khairathabad Circle of Punjagutta Division in issuing Form-A Certificate dated: 23.7.2007 to a Dealer declaring that the Dealer had paid a sum of Rs.5,94,85,038/- towards the sales tax amount for the year 2006-2007 and also issuing another Form-A certificate dated 21.4.2008 declaring that the above dealer had paid a sum of Rs.13,22,74,965/- for the year 2007-08 and there were no dues from the dealer erroneously; whereas the dealer paid only net tax of Rs.2,98,98,529/- and Rs.10,47,10,213/- respectively for the above assessment years; which is contrary to instructions issued by the Commissioner, Commercial Tax issued in reference No. All (2)/201/2012, dated: 16.10.2010. The Charged Officer was directed to submit his written statement of defence.

2. In the reference 3rd read above, Sri T. Rajesham, Assistant Commissioner, Commercial Tax, Nalgonda Division has submitted his written statement of defence stating that the Form-A certificates were issued by him were earlier to the circular instructions issued by the Commissioner of Commercial Taxes dated 16.10.2010 and subsequently the certificates were cancelled by his successor and revised certificates were issued in accordance with the instructions and requested to drop further action against him.

3. In the reference 5th read above, the Commissioner of Commercial Tax has furnished his remarks (as called for in the reference 4th read above) and stated that the said Dealer has not been given any excess refund based on the certificates issued by the Charged Officer and the issue was purely interpretation of the provisions governing the subject and there is no loss of revenue and requested to take a lenient view in the matter.

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4. Government after careful examination of the matter and keeping in view the report of the Commissioner of Commercial Taxes, Telangana, Hyderabad, hereby drop further action against Sri T. Rajesham, former Commercial Tax Officer, Khairathabad Circle of Punjagutta Division and Assistant Commissioner, Commercial Taxes in the matter.

5. The Commissioner of Commercial Taxes, Telanagana, Hyderabad shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri T. Rajehsam, Assistant Commissioner, Commercial Taxes.

**(through the Commissioner of Commercial Taxes,
Telangana State, Hyderabad).**

The Commissioner of Commercial Taxes, Telangana State, Hyderabad
Sf/Sc.

//FORWARDED ::BY ORDER//

SECTION OFFICER